

**UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

**OWNER OPERATOR INDEPENDENT
DRIVERS ASSOCIATION, INC., ET AL.**

Plaintiffs,

v.

**PENNSYLVANIA TURNPIKE
COMMISSION, ET AL.**

Defendants.

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No. 1:18-cv-00608-YK

(Judge Kane)

**THE PENNSYLVANIA TURNPIKE COMMISSION DEFENDANTS’
NOTICE OF SUPPLEMENTAL AUTHORITY PURSUANT TO LR 7.36**

The Third Circuit’s November 27, 2018 precedential opinion in *United States v. Baroni*, No. 17-1817, is relevant to the pending motions related to Count II of Plaintiffs’ Complaint, asserting a violation of their right to interstate and intrastate travel.

In *Baroni*, the Third Circuit held that, “although four circuits (including our own) have found some form of a constitutional right to intrastate travel, there is hardly a ‘robust consensus’ that the right exists, let alone clarity as to its contours.” Slip Op. at 76. Accordingly, the defendants were afforded what amounted to qualified immunity. *Id.*

November 28, 2018

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By: /s/ Robert L. Byer

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CERTIFICATE OF SERVICE

On November 28, 2018, I served all parties by filing the foregoing on the Court's ECF filing system.

/s/ Robert L. Byer

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